

**Public Hearing  
Amendment to Floodplain Section  
of the Zoning Ordinance  
Council Chambers  
Monday, June 4, 2012  
5 p.m.**

Ms. Goodman-Hinnershitz, Vice President of Council, called the hearing to order and stated that the purpose of this hearing is to obtain public comment on the proposed zoning amendment that updates the floodplain overlay section of the Codified Ordinances Chapter 27 Zoning. She explained the hearing procedure.

**Attending:** City Councilors Sterner, Waltman, Reed, Goodman-Hinnershitz, Corcoran, Marmarou, City Clerk Kelleher, City Solicitor Younger, Public Works Director Charlie Jones, Utilities Division Manager Deb Hoag, Engineer Tim Krall, City Planner Andrew Miller

**I. Testimony from City Staff** (No more than 10 minutes)

Ms. Hoag explained that the amendment is needed because FEMA amended the federal regulations. She stated that the ordinance is based on the model provided by the DCED and local amendments for Reading were added. She stated that the changes are subtle.

Mr. Krall stated that the DCED has reviewed and approved the draft amendment. He also noted that the ordinance was reviewed by the City and County Planning Commission and the Zoning and Law Offices. He stated that the comments issued by the County Planning Commission are being addressed.

Mr. Miller stated that the Planning Commission reviewed the ordinance at their May 22<sup>nd</sup> meeting and adopted a resolution recommending that the ordinance be enacted. Mr. Miller provided a copy of the resolution and the comments requesting minor edits. He stated that many of the same edit requests were provided by the County Planning Commission. He also recommended further review of the ordinance after it is enacted so further adjustments to make the ordinance more compatible with state and local land use regulations can occur.

**Public Comment**

Council Vice President Goodman-Hinnershitz opened the floor for public comment. She announced that two (2) citizens are registered to speak. She announced the public speaking rules.

Ricardo Nieves, of Northmont Blvd, stated that Northmont is affected by two streams that come from Bernharts Park. He described the problems Northmont experiences when these streams overflow. He stated that debris is often washed out onto the Kutztown Road at the

Route 12 overpass. He requested assistance with getting this public health and safety issue resolved.

James Harris, of Northmont Blvd, stated that he received notice of the Public Hearing due to the creeks located near his property. He agreed with the need for the City to rectify the problems associated with the creeks.

Council Vice President Goodman-Hinnershitz inquired if any other citizen present would like to comment. As no one stepped forward, the public comment period was closed.

### **Council Questions**

Councilor Sterner inquired about the depth of the changes. Mr. Miller stated that the amendments are technical adjustments, boundary line shifts and edits.

Councilor Sterner inquired about the enforcement of the new regulations. Mr. Miller stated that the new regulations may make the development of the riverfront area less problematic.

Councilor Sterner questioned the changes in the boundary lines.

Ms. Hoag stated that another change adds the Zoning Administrator as the administrative officer and adds the requirements for zoning permits within the floodplain area. She also noted the additions that will improve communications between various departments and divisions. She stated that the adjustments to the maps consider the location of the City's storm sewers.

Councilor Marmarou questioned if the DCED supports the ordinance. Ms. Hoag stated that the ordinance is modeled after the DCED sample. The DCED has reviewed the final draft and has approved it.

Councilor Marmarou inquired about the flooding mentioned during the public comment period.

Mr. Jones stated that the last adjustments to address the flooding occurred in the late 1980s when the second spillway and an additional storm water pipe along Delta Avenue was installed. He stated that the flooding described is caused by an issue with a channel that is located within Muhlenberg Township. He stated that the channel is too small to handle the flow levels.

Council Vice President Goodman-Hinnershitz questioned if other unnamed tributaries are affected by the map changes. Mr. Jones and Ms. Hoag stated that about four to five tributaries are removed in the amendment, including the Rose Valley tributary.

Councilor Reed questioned if the amendments will have an impact on the Bushong Dam area, located near the confluence within District 5. Ms. Hoag stated that the ordinance does not address this dam. However, she described the new safety features added to the ground around the Bushong Dam.

Councilor Sterner inquired about the number of properties affected by the change. Ms. Hoag stated that the initial version released by FEMA added approximately 100 properties to the floodplain area; however, the final version removed between 800 and 900 properties.

Ms. Kelleher stated that notices were mailed to 129 affected property owners. She noted that one notice was mailed to those owning more than one property within the zone.

Mr. Younger entered the agenda packet along with the comments from the City and County Planning Commissions into the record.

Council Vice President Goodman-Hinnershitz announced that Council plans to consider the enactment of this ordinance at the June 11<sup>th</sup> regular meeting of Council.

The hearing was adjourned.

*Respectfully submitted by Linda A. Kelleher CMC, City Clerk*